

REMARKS

Claims 1-43, 60, 61, 63, and 64 are pending in this application. Of these, claims 1, 14, 27, 28, 38, and 60 are independent. Claims 63 and 64 are new. Favorable reconsideration and further examination are respectfully requested.

Claims 1, 6-8, 11-14, 19-21, 24-26, 28, 38, and 60-61 were rejected under 35 U.S.C. 103(a) over Watkins (U.S. Pub. 2003/0208125) in view of Goldfain (U.S. Pat. 6,065,837). Claims 4, 5, 17, and 18 were rejected under 35 U.S.C. 103(a) over Watkins, Goldfain and Takahashi (U.S. Pat. 4,453,808). Claims 9, 10, 22, 23, and 39-41 were rejected under 35 U.S.C. 103(a) over Watkins, Goldfain and Shipp (U.S. Pat. 5,471,237). Claims 2, 3, 15, and 16 were rejected under 35 U.S.C. 103(a) over Watkins, Goldfain and LeVantine (U.S. Pat. 3,984,157). Claims 27-30 and 33-36 were rejected under 35 U.S.C. 103(a) over Watkins, Goldfain, Takahashi, and Shipp. Claims 31, 32, and 37 were rejected under 35 U.S.C. 103(a) over Watkins, Goldfain, Takahashi, Shipp, and LeVantine.

As shown above, Applicants have amended the claims to define the invention with greater clarity. In view of these clarifications and the arguments below, reconsideration and withdrawal of the art rejections are respectfully requested.

Claim 1, as amended, recites "A retinal imaging system comprising a light source; optics which receive light from the light source and which transmit the light to produce a beam that is substantially convergent, the beam entering an eye along a first axis ... and diverging following penetration of the lens to illuminate an area of a retina of the eye, the beam converging until reaching the lens such that the beam is most convergent at the lens." For example, FIG. 6 of

Applicant's specification shows the light beam being refracted by the cornea 53 as it enters the eye and converging until it reaches the lens 42.

The applied art is not believed to disclose or suggest the features of claim 1, particularly with respect to optics that transmit light to produce a beam that converges until reaching the lens. In this regard, in the passage at col. 5, lines 2-8, of Goldfain discloses a light beam converging at the cornea of the eye: "[a] patient's eye is positioned such that light transmitted by objective lens 12 converges at cornea 39 and diverges inside eye 36 ..." The cornea of the eye is different than the lens. Furthermore, Applicants submit that directing the light such that it is most convergent at the lens, rather than at the cornea, may reduce and/or eliminate more of the reflections from the front of the lens, the back of the lens, and the cornea itself.

Watkins neither discloses or suggests optics that transmit light to produce a beam that converges until reaching the lens such that the beam is most convergent at the lens. Although at paragraph [0031], Watkins describes an "illumination injection device ... to focus approximately at the pupil of a patient's eye," Watkins nowhere discloses or suggests, for example, that the illumination injection device is configured to focus the light at the lens.

Neither Takahashi, Shipp, nor LeVantine disclose or suggest optics that transmit light to produce a beam that converges until reaching the lens such that the beam is most convergent at the lens. Thus, for at least the foregoing reasons presented above, claim 1 is believed to be patentable over the applied art.

New claim 63 recites that "the optics are configured to direct the light from the light source to the eye along an illumination path" and that the retinal imaging system further comprises "a mechanism for rotating the illumination path relative to the eye." The applied art is

not understood to disclose or suggest the features of claim 63. In this regard, at paragraph [0051], Watkins discloses “a post 15 upon which are independently rotationally mounted a lamp assembly 17 and a microscope assembly 19” and that “the microscope 19 and the slit lamp 17 can be independently swung about the mounting post 15 on a vertical axis to be positioned in front of a patient's eye” There is nothing in Watkins, however, that discloses or suggests that either or both the microscope and slit lamp can be maneuvered to rotate the illumination path relative to the eye. Rather, according to the foregoing passage of Watkins, the microscope and slit lamp are rotated relative to the post such that the lamp is positioned in front of the eye.

Neither Watkins, Takahashi, Shipp, nor LeVantine disclose or suggest a mechanism for rotating the illumination path relative to the eye. Thus, for at least the foregoing reasons presented above, claim 63 is believed to be patentable over the applied art.

New claim 64 recites that “the beam substantially collimates through the lens and diverges upon exiting the lens to illuminate the areas of the retina.” None of the applied art discloses the features of claim 64.

Independent claims 14, 27, 28, 38, and 60 recite limitations that are similar to the limitations of claim 1. Accordingly, for at least the foregoing reasons, claims 14, 27, 28, 38, and 60 are believed to distinguish over the applied art.

Each of the dependent claims is also believed to define patentable features of the invention. Each dependent claim partakes of the novelty of its corresponding independent claim and, as such, has not been discussed specifically herein.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or

concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claims, except as specifically stated in this paper, and the amendment of any claims does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney can be reached at the address shown below. All telephone calls should be directed to the undersigned at 617-521-7896.

While no fees are believed due at this time, please apply any other charges or credits to Deposit Account No. 06 1050, referencing Attorney Docket Number 10276-085001.

Respectfully submitted,

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Paul A. Pysher
Reg. No. 40,780

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906